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OFFICE OF PETITIONS

In re Application of :
Daniel J. Von Seggern :
Application No. 10/808,758 : DECISION ON PETITION
Filed: March 24, 2004 :
Attorney Docket No. 22908-1239 :

This is a decision on the renewed petition under 37 CFR 1.137(b), filed March 2, 2007, to revive the above-identified application.

The petition is **GRANTED**.

This application became abandoned for failure to reply in a timely manner to the Notice to File Missing Parts of Nonprovisional Application (Notice), mailed September 19, 2005, which required the submission of an executed oath or declaration, a \$65 surcharge fee for its late filing, and compliance with the sequence listing requirements. The Notice set a period for reply of two (2) months from the mail date of the Notice. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the application became abandoned on November 20, 2005. A Notice of Abandonment was mailed on May 22, 2006.

Petitioner has satisfied the requirements of 37 CFR 1.137(b) in supplying (1) the required reply to the Notice of September 6, 2005, (2) the petition fee of \$750, and (3) an adequate statement of unintentional delay. Accordingly, the failure to timely reply to the Notice of September 6, 2005 is accepted as being unintentionally delayed.

This application is being referred to the Office of Initial Patent Examination for further processing in accordance with this decision.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3218.

Frances Hicks
Frances Hicks
Petitions Examiner
Office of Petitions